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Policies and Procedures

Title: Emergency Conditions Plan, Washington, D.C.
Metropolitan Area

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Personnel Policy & Systems Branch

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Distribution: All Offices in the Washington, D.C., Metropolitan Area

This DIRECTIVE:

- States procedures and delegations of authority to dismiss Washington, D.C., Metropolitan Area employees from duty or grant leave as the result of hazardous weather or emergency conditions.
- Is revised to reflect OPM and OMB procedural changes.
- Does not cover emergency situations due to budgetary considerations of 30 days or less. These are adverse actions and are handled by DIRECTIVE 461.5. The federal government treats such situations of more than 30 days as reduction in force actions. DIRECTIVE 425.2 deals with these matters.

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1. REFERENCES

For information on:

- Adverse actions, see DIRECTIVE 461.5.
- Reduction in force, see DIRECTIVE 425.2.
- Leave, see DIRECTIVE 402.6.

2. ABBREVIATIONS

- AD - Area Director
- APHIS - Animal and Plant Health Inspection Service
- AWOL - Absence Without Official Leave
- BARC - Beltsville Agricultural Research Center
- DAAM - Deputy Administrator for Administrative Management
- FMOD - Facilities Management Operations Division
- OMB - Office of Management and Budget
- OP - Office of Personnel, USDA
- OPM - Office of Personnel Management
- PD - Personnel Division
- WMATA - Washington Metropolitan Area Transit Authority

3. DEFINITIONS

Closure exists when OPM and District of Columbia or OP officials determine that weather or other emergency conditions dictate that most Government offices should not be opened for the day. Those employees may be granted a reasonable amount of excused absence if they experience commuting delays. All other employees will be granted excused absence for the day.

Delayed Arrival/Liberal Leave exists when OPM, coordinating with District of Columbia and WMATA officials, determines that weather conditions make it desirable to reduce or delay the flow of morning traffic. Supervisors may grant a reasonable amount of excused absence to those who report to work late because of commuting delays. Supervisors should consider road, traffic, and transit system conditions in deciding how much excused absence is reasonable (see section J). Employees, except those in exigency positions, may choose to take a reasonable amount of leave or leave without pay without receiving advance approval from their supervisors. This is known as a "liberal leave" situation or policy.

Early Dismissal exists when OPM, consulting with WMATA officials, determines that weather and street conditions are expected to create serious and hazardous afternoon and evening traffic conditions. The success of Early Dismissal depends on WMATA's ability to mobilize adequate bus and rail service and the gradual release of employees so the streets and the transit system do not become overloaded. Early Dismissal will authorize agencies to dismiss employees at a specific time or for a specific number of hours in advance of their normal quitting time, e.g., 1 or 2 hours.

Emergency Situations occur when responsible public officials declare that agency operations must be curtailed because of, extreme weather conditions, or interruption of transportation or building services. The emergency situation is general rather than personal in scope.

Exigency Positions involve duties which must be performed regardless of weather or other emergency conditions.

Washington, D.C., Metropolitan Area includes the District of Columbia; the cities of Alexandria, Fairfax, and Falls Church, Virginia; the Virginia counties of Arlington, Fairfax, Loudoun, Stafford, and Prince William; and the Maryland counties of Charles, Calvert, Frederick, Montgomery, and Prince George's.

4. AUTHORITIES

- FPM & DPM 610 & 630
- Director, OP, Memo "Hazardous Weather Dismissal -- Beltsville," dated February 23, 1984, to Director, PD

5. NOTIFICATION PROCEDURES

For those units inside the Beltway the decision to close agencies or authorize delayed arrival or early dismissal is made through consultation among the Executive Assistant Director, OPM, District of Columbia officials, WMATA, and the Washington Area Council of Governments. If the decision to close occurs during working hours, it is relayed to Department Personnel Directors. All decisions are also communicated to the news media by OPM. (See section H below for procedures for ARS.) The final decision on Federal leave policy will be made, after consultation as described above, by the Director of OPM, in conjunction with the Assistant to the President for Cabinet Affairs.

For those units outside the Beltway the decision to close agencies or authorize delayed arrival is likewise made by the above consultation and notification of the Personnel Director, OP. For their early dismissal see section H 2 below.

6. DELAYED ARRIVAL/LIBERAL LEAVE OR CLOSURE

Delayed Arrival/Liberal Leave or Closure will be announced on local radio and television stations. The announcement will indicate if delayed arrival/liberal leave or closure is in effect.

- **If delayed arrival/liberal leave is announced**, all employees are expected to report to work on time. However, supervisors may grant up to 2 hours of administrative leave, or under the maxiflex system let the employee glide (i.e., move the hours scheduled to work to a later time within 6 a.m. to 6 p.m.), if the absence of the employee is unavoidable and necessary as a result of hazardous weather and commuting conditions. When an employee does not come to work or arrives at work later than 2 hours after the start of their regularly scheduled basic tour of duty, or, under maxiflex, if they have not received permission to glide, they are normally expected to take annual leave, sick leave (if applicable), or other appropriate leave for the entire period of the absence.
- **Also, under maxiflex**, in those rare instances where an employee has made every reasonable effort but was delayed or unable to report for duty because of hazardous weather or emergency conditions, it is permissible for the supervisor to allow the employee to work longer on other weekdays of the pay period, between 6 a.m. and 6 p.m., to make up for the missed time. Also the employee may be granted administrative leave beyond the 2 hours for the period of the absence if they request such leave and it is approved by the immediate and second-level supervisor. Requests must be in writing and clearly address the conditions necessary to grant administrative leave for hazardous weather or emergency conditions. (See section H for conditions necessary to grant such leave.)
- **If closure due to hazardous conditions is announced**, Federal locations will be closed for the day or part of the day and all nonexigency employees available and scheduled to work will be granted administrative leave for the number of hours scheduled to work for that day that overlap the period of closure, according to J below.

7. EARLY DISMISSALS

Washington, D.C. (Includes the National Arboretum) - Early dismissals and notification will come from the Director, OP to the Director, PD, who in turn, will notify ARS officials by telephone and instruct them to dismiss their nonexigency employees without charge to annual leave. Notification will include whether the office is to be closed and all nonexigency employees released or whether they are to be released a set number of hours before their normal quitting time.

Beltsville, Greenbelt, and Glenn Dale, Maryland - Early dismissals of employees at BARC, Greenbelt, and Glenn Dale, Maryland, may be permitted only after the DAAM receives the telephone concurrence of the Director, OP. Other ARS officials, e.g., the Beltsville AD, Director, PD, and/or the Chief, FMOD or BARC, may be consulted prior to contacting OP. Before seeking the concurrence of the Director, OP, for early dismissal due to weather conditions, a check must be made with the local police authorities to determine whether road conditions in the area warrant early dismissal in the interest of the safety and health of employees. After receiving the concurrence of the Director, OP, the DAAM will notify the Greenbelt offices, and the Beltsville AD. He/she in turn will notify BARC and Glenn Dale **nonexigency** employees of the dismissal.

Hyattsville, Maryland - Early dismissal of employees located at the Federal Building may be permitted only after the Director of the Human Resources Division, APHIS, checks with the local police authorities and determines whether road conditions create safety concerns such that nonexigency workers should be dismissed early. After receiving the telephone concurrence of the Director, OP, the Director of the Human Resources Division, APHIS, shall notify the Director, PD, ARS, of the time or length of the early dismissal. The Director, PD, in turn will notify ARS employees at the Federal Building of the early dismissal decision so that all nonexigency, ARS, employees are released and granted official leave when the building is closed or at the interval specified.

NOTE: The automatic features of the procedures specified in the above section will result in the communication of a dismissal decision in a matter of minutes. To avoid delays and congestion of telephone circuits, employees must refrain from calling offices responsible for communicating information on dismissals.

8. OTHER EMERGENCY CONDITIONS

When there is an interruption of normal operations due to **other** adverse working conditions than hazardous weather, the Director of Personnel, ARS, has the delegated authority from the Office of Personnel, OP, to excuse all employees, within and outside the immediate Washington, D.C. Metropolitan Area, for up to 1 workday. This authority is exercised when the correction of the situation is not anticipated within 4 hours of the end of the day. The Director, Office of Operations, must be notified and consulted prior to any release of employees. Any closing beyond 1 workday requires the approval of the Director of Personnel, OP.

The reasons for the release of the employees must be documented by a memo to the record, and be available for future reference, if needed.

9. LEAVE CHARGES WHEN ACTIVITY IS CLOSED DUE TO EMERGENCY CONDITIONS

Nonexigency employees on duty at the time of any dismissal will be excused without loss of pay or charge to personal leave. Time and attendance reports are to show the time absent with pay under Transaction Code 66. Employees not on duty at the time of Delayed Arrival or Early Dismissal will be charged leave as follows:

- **Employees who are on scheduled leave with no expectation** of a return to duty before the close of the workday shall be continued in the same scheduled leave status through the close of the workday.
- **Employees not on scheduled leave** who do not report for duty on a day the office is open shall be charged annual, sick, compensatory time used, credit hours used, or a nonpaid leave status, as appropriate.
- **Employees who are on scheduled leave with the expectation** that they will return to duty before the close of the day shall be continued in the same leave status from the beginning of the scheduled leave absence to the time of dismissal.

NOTE: "Scheduled" leave means leave which was planned or anticipated in advance of the day on which it was taken. A final decision as to whether or not an employee was on scheduled leave is the responsibility of the supervisor.

- **Employees who are on duty** when the appropriate official notifies the office involved of scheduled early dismissal and who request and are granted

personal leave between the time of the notice and the actual dismissal shall not be charged personal leave from the time of actual dismissal to the end of the workday.

- **Employees, other than exigency employees**, intermittent employees, and those employees in a nonpay status on the day before and the day after the excused absence, will be granted excused absence when the decision is made that Federal offices will not open for the day.

10. GRANTING ADMINISTRATIVE LEAVE WHEN WORK ACTIVITY IS OPEN

When granting administrative leave during the time a work activity is open, whether for the maximum 2 hours or extended absence, the following criteria must be met:

- The emergency situation giving rise to the request is general rather than personal in scope and impact.
- Reasonable efforts are made and available alternatives are explored by the employee. Included in the decision should be the distance between the employee's principal residence and the place of work, mode of transportation, success other employees similarly situated had in reporting to work, and other relevant factors.
- The weather or emergency condition was responsible for the unavoidable and necessary delay.
- To the extent possible, the supervisor has verified the facts and circumstances. For giving an employee more than 2 hours, contact should be made with a knowledgeable source other than the employee to confirm the conditions.

Examples of when administrative leave is not to be granted:

- Employee on annual leave or days off gets snowed in at a place other than his/her principal residence and is unable to return in time to get to work.
- Employee's residence is some distance from the nearest public road and he/she was unable to clear his/her driveway.
- Employee did not leave his/her residence at a reasonable (earlier than normal) time even though difficult driving conditions could be anticipated.

- The employee's carpool, bus, etc., was unable to get to the point of pick-up.
- Any other situation which is personal in nature rather than general in scope or impact. It is a long established principle that Federal employees are personally responsible for traveling to work and that annual leave is granted in sufficient amounts to take vacations as well as permit irregular or occasional absences for personal situations.

11. EXIGENCY EMPLOYEES

Designation and Notification Requirements. Instructions issued by OP require each agency of the Department to designate activities which must continue in operation regardless of emergency conditions. Such instructions further specify that each employee engaged in these activities shall be so informed annually in writing by the supervisor. ARS exigency employees in the Washington, D.C., Metropolitan Area who must report for duty and remain on the job regardless of other emergency conditions include greenhouse attendants at BARC, the National Arboretum, and at Glenn Dale, Maryland; and BARC employees engaged in feeding, watering, and care of experimental animals, poultry, and insects. Should an exigency employee not report for duty, or not remain on duty, their absence will be charged as AWOL which may subject them to disciplinary action. The decision as to the type of leave to be charged is solely at the discretion of the supervisor and is subject to normal requirements in DIRECTIVE 402.6 and/or this DIRECTIVE.

Additional Employees Who May Be Required to Report for Duty or Remain on the Job Regardless of the Emergency. Under certain emergency conditions, some **additional** employees may be required to report for duty or remain on the job when employees generally are excused. This may be necessary in order to perform such essential services as snow removal, clearance of roads, directing traffic, making emergency repairs, manually operating equipment disabled because of failure of normal utility services, safeguarding incoming shipments of plant material, and the like. As the occasion arises, individual notifications of the need for their services will be given by supervisors to any such employees.

Pay Status of Employees Referred to in 1 and 2 Above. There is no authority to pay premium compensation **of any kind** or to grant compensatory time to employees referred to above when they are required to report for duty or remain on the job during hours constituting their regular workweek, even though nonexigency employees are released from duty with full pay and with no charge to personal leave in accordance with this DIRECTIVE.

T. J. CLARK
Deputy Administrator
Administrative Management